

CONCLUSIONS AND RECOMMENDATIONS

- The A/P consistency review process should be integrated into the existing CZM program coordinated by DCM. The A/P program would maximize authority and jurisdiction by interacting with the CZM consistency review program.
- Integrating the A/P consistency review procedures into the CZM consistency program would minimize review duplication. Many of the CCMP goals could overlap or complement the goals of the Coastal Management Plan. DCM's broad jurisdiction could also easily encompass the A/P study area.
- The A/P program would gain the ability to stop inconsistent Federal activities through integration with the CZM review process. In contrast, the Clearinghouse process would provide authority to comment on Federal projects, but not to deny Federal activities.
- Integration with the CZM review process would expand A/P review authority to include Federal issuance of licenses and permits. License and permit decisions are not subject to review under Section 320(b)(7) or the Clearinghouse process. The A/P program would also gain easy access to NEPA documents circulated by DCM.
- To integrate the A/P and CZM consistency programs, the goals of the CCMP must be incorporated into the North Carolina Coastal Management Program. Adoption of the CCMP goals into the Coastal Management Program for consistency purposes would require approval by NOAA, but would not require approval by the North Carolina Coastal Resources Commission. A Memorandum of Understanding between NOAA and EPA encourages this approach and should ensure rapid approval by NOAA.
- The Management Conference should draft specific CCMP goals and objectives. Under the CZM consistency program, inconsistent positions on Federal activities are usually based upon conflicts with specific regulations or land use plan provisions in the Coastal Management Plan. The consistency review process is a futile exercise without specific goals against which consistency can be assessed.
- The A/P Management Conference should designate a Point of Contact to interact with DCM. DCM would add the A/P contact to their circulation list of reviewers to receive Federal proposals. If the A/P program is terminated, DCM staff would assume responsibility for determining consistency with the CCMP goals.